

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION
CASE NO. 2005-00235

RECEIVED
JUL 11 2005
PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF MALLARD POINT
DISPOSAL SYSTEMS, INC. FOR AN
ADJUSTMENT OF RATES PURSUANT TO THE
ALTERNATIVE RATE FILING PROCEDURE
FOR SMALL UTILITIES

* * * * *

**OBJECTION TO MOTION FOR FULL INTERVENTION BY PEGGY van
der GAAG AND JEROEN van der GAAG**

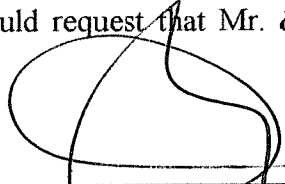
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Comes the Applicant Mallard Point Disposal Systems, Inc. (Mallard Point), and objects to the Motion to Intervene filed herein by Peggy and Jeroen van der Gaag upon the following grounds:

Upon information and belief, Jeroen van der Gaag has published defamatory statements and documents about Mark Smith, President of Mallard Point. Mr. van der Gaag is also a defendant in that action styled Mark Smith v. Jeroen van der Gaag, Scott Circuit Court, Civil Action No. 05-CI- 239, alleging defamation arising, in part, out of his attempts to have Mr. Smith criminally indicted for alleged actions taken in his capacity as President of the Mallard Point Owner's Association, Inc.

In order to ensure that this proceeding remains legitimately focused on Mallard Point's Application, and not the Mallard Point Owner's Association, Inc. or the above-referenced Scott Circuit Court case, Mallard Point respectfully requests that the Motion to Intervene filed herein by Peggy and Jeroen van der Gaag be denied.

Alternatively, Mallard Point, would request that Mr. & Mrs. Van der Gaag be granted limited, as opposed to full, intervention.



JAMES M. MOONEY
MATTHEW L. MOONEY
MOONEY, MOONEY & MOONEY
208 SOUTH LIMESTONE STREET
LEXINGTON, KENTUCKY 40508-2502
(859) 259-2701

ATTORNEYS FOR MALLARD POINT
DISPOSAL SYSTEMS, INC.

CERTIFICATE OF SERVICE

I hereby certify that the original and ten (10) copies hereof was mailed, postage prepaid, to the following:

Kentucky Public Service Commission
P.O. Box 615
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

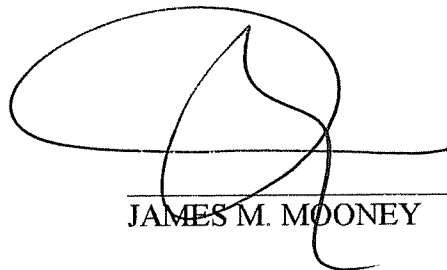
and that a copy of the foregoing was mailed, postage prepaid, to the following:

Peggy & Jeron van der Gaag
113 Shoveler Court
Georgetown, KY 40324

Robert Warhus
130 Greenwing Court
Georgetown, KY 40324

Honorable David Edward Spenard
Office of the Attorney General
1024 Capital Center Drive, #200
Frankfort, KY 40601-8204

on this the 8th day of July, 2005.



JAMES M. MOONEY

ATTORNEY FOR MALLARD POINT
DISPOSAL SYSTEMS, INC.

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* * * * *

**OBJECTION TO MOTION FOR FULL INTERVENTION BY ROBERT H.
WARHUS**

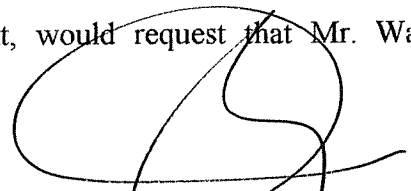
* * * * *

Comes the Applicant Mallard Point Disposal Systems, Inc. (Mallard Point), and objects to the Motion to Intervene filed herein by Robert H. Warhus upon the following grounds:

Mr. Warhus was a full intervenor in Mallard Point's last rate case and he, along with other intervenors, submitted duplicative data requests to Mallard Point during that proceeding, causing unnecessary burden and expense upon Mallard Point. Also, upon information and belief, Mr. Warhus was present and participated in a discussion with a representative from the Kentucky Attorney General's Office following an informal hearing held in Mallard Point's last rate case in which Mr. Warhus and others represented that Mark Smith was involved in criminal conduct, and should be investigated.

In order to ensure that this proceeding remains legitimately focused on Mallard Point's Application, and that Mallard Point is not subjected to unnecessarily duplicative data requests from Mallard Point rate payers, nor charges of Mr. Smith's alleged criminal conduct, Mallard Point respectfully requests that the Motion to Intervene filed herein by Robert H. Warhus be denied.

Alternatively, Mallard Point, would request that Mr. Warhus be granted limited, as opposed to full, intervention.



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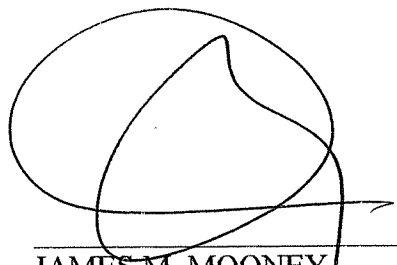
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on this the 8th day of July, 2005.



JAMES M. MOONEY

ATTORNEY FOR MALLARD POINT
DISPOSAL SYSTEMS, INC.

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LAW OFFICES

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MOONEY, MOONEY & MOONEY

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LEXINGTON, KENTUCKY 40508-2502

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TO:

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Frankfort, Kentucky 40602-0615

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